

9963. Adulteration of corn. U. S. * * * v. 55 Sacks of Corn. Decree permitting product to be disposed of by insular authorities. Product destroyed. (F. & D. No. 610-c.)

On February 1, 1921, the United States attorney for the District of Porto Rico, acting upon a report by the Commissioner of Sanitation of Porto Rico, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 sacks of corn, remaining in the original unbroken packages at San Juan, P. R., alleging that the article was adulterated in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

On February 21, 1921, no claimant having appeared for the property, it was ordered by the court that the insular authorities be given permission to dispose of the said product in such manner as to them might seem proper. The product was destroyed.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9964. Misbranding of Capitol hog remedy. U. S. * * * v. 48 Cartons of Capitol Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12423. I. S. No. 166-r. S. No. E-2083.)

On April 28, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 cartons of Capitol hog remedy, at Greenville, N. C., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, on or about December 13, 1919, and transported from the State of Ohio into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * Capitol Hog Remedy * * * Superior * * * Remedy For Swine. * * * Recommended for Hog Cholera, Scrofula, Inflammatory and all Contagious Diseases peculiar to Swine; purifies the blood; * * * an invaluable remedy for Hog Cholera, Scrofula, Inflammatory conditions and all contagious diseases peculiar to Swine. * * * Cures Indigestion, * * * keeps the Hogs healthy * * * Capitol Hog Remedy insures health * * * A wonder In The Development of Swine. Recommended to cure and prevent diseases, produces an extraordinary rapid growth * * * Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; * * * restores Hogs to a good healthy condition. Save Your Hogs * * * feed Capitol Hog Remedy * * * regularly for three months, thus insuring no loss whatever from Cholera or any other disease, * * * This will keep them free from disease * * * For Young Pigs * * * will insure a rapid growth and prevent all diseases. * * * For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, * * * Give from two to three tablespoonfuls of Capitol Hog Remedy * * * "

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of charcoal, powdered vegetable material, including nux vomica and wormseed, iron sulphate, magnesium sulphate, sodium carbonate, and sodium chlorid.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and fraudulent and were made for the purpose of deception so as to represent falsely to the purchaser thereof that the said article was fit for the pur-